

North Carolina Department of Health and Human Services
Division of Budget and Analysis
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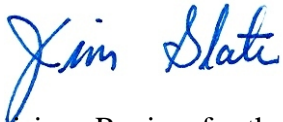
Michael F. Easley, Governor
Dempsey Benton, Secretary

James B. Slate, Jr., Director

February 13, 2008

MEMORANDUM 2008-03

TO: Division Directors
Division Budget Officers
Office Directors

FROM: Jim Slate 

SUBJECT: Special Provisions Review for the 2008 Legislative Session
Due to Budget and Analysis on March 7, 2008

In preparation for the upcoming legislative session, this memorandum provides instructions regarding non-block grant special provision language. Divisions are to submit to Budget & Analysis recommended modifications to existing special provisions as contained in Session Law 2007-323 (House Bill 1473) or other bills affecting the Department's operations and the budget for 2008-09 as currently adopted. Modifications could include:

- Provisions which need to be amended including minor / technical modifications as well as major modifications, and
- New provisions deemed necessary for the 2008-09 fiscal year.

New provisions proposed should be unrelated to expansion items that have been forwarded to the Department. These provisions related to expansion items should have been submitted with your expansion requests, as instructed in B&A numbered memorandum 2007-15. **If you have special provisions related to items you have submitted to be included in the Department's expansion package that have not been forwarded to our office, please contact your analyst in B&A immediately.** Block Grant special provisions are addressed in B&A numbered memorandum #2008-02.

Please review the non-block grant special provision language for your Division in the appropriations bill and other bills ratified during the 2007 session of the General Assembly. Please note that recommendations to delete reporting requirements that have already occurred should not be submitted provided that your report has been submitted as required. If the reporting due date needs to be modified, this should be submitted as a technical correction.

There is an opportunity through this process to submit a new provision to change codified text, but this process should be limited and very critical to your operations.

The following instructions for preparing your Division's recommendations for special provision language modification should be used in completing Attachments A and B:

- I. Special Provisions Action Form (*Attachment A*) – Each provision requiring action is recorded on a separate “Special Provision Action Form”.
 - Enter date
 - Part A. Enter Division/Office name.
 - Part B. Bill and Sections Numbers: For existing provisions which are to be revised, enter the bill and section numbers from the appropriations bill. For new provisions, type “New”.
 - Part C. Action: Enter an “X” in the appropriate blank to indicate if the provision is to be retained with a technical change or a substantive change, or if the provision is new.
 - Part D. Justification/Explanation: Give the rationale for the modifications. For new provisions, give the reason(s) the provision is needed.
 - Part E. Special Provision: Since most special provisions are relatively brief, the provision is to be typed in its entirety, beginning with the provision title. If the provision is over one page long and you want to make changes only to one section, you may retype that section. Note that special provision language may be downloaded from the appropriations bill that can be found on the General Assembly website at <http://www.ncleg.net/>.
 - Use the strike through and underline method to show proposed changes in an existing provision.
 - New provisions should be underlined in their entirety.

In addition to completing an individual sheet for each special provision which is amended or new, provide a summary list containing the titles of all provisions for which you are recommending amendments. Use the attached list, add any other applicable special provisions, and place an “X” in the appropriate column. It is recommended that you address all provisions that have any impact on your division's operations.

February 13, 2008

II. Summary List of Provisions (*Attachment B*)

Please send an electronic copy of each affected special provision using the format in *Attachment A* **and** the summary list, *Attachment B*, to your analyst in this office by Friday, March 7, 2008.

If you have any questions, please do not hesitate to contact your analyst. Thank you for your assistance on this endeavor and for responding promptly.

JBS:gg

Attachments

cc: Dempsey Benton
Dan Stewart
Jane Smith

Jackie Sheppard
Sharnese Ransome
DHHS Program Analysts